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The Least We Can Do

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The Least We Can Do

Abstract

In the early months of 2003, when the U.S. was only threatening war, humanitarian relief organizations expected thousands of refugees to flee from Iraq into neighboring countries of Jordan and Syria. They were surprised when it did not happen. Four years later, the anticipated wave has at last arrived—and in tsunami proportions.

Keywords

Human rights, Iraq, War, Refugees, Displaced peoples

The Least We Can Do

by Susan E. Waltz

In the early months of 2003, when the U.S. was only threatening war, [humanitarian relief organizations expected](#) thousands of refugees to flee from Iraq into neighboring countries of Jordan and Syria. They were surprised when it did not happen. Four years later, the anticipated wave has at last arrived—and in tsunami proportions.

For more than a decade, specialists have been calling attention to a multitude of problems associated with the international refugee regime. Now, as many as four million Iraqi refugees are at risk of tumbling through one or another of its cavernous cracks, and that is to say nothing of the thousands of internally displaced Iraqis unable to cross an international border.

Several problems plague the international refugee regime—even before you get to the political overtones and undercurrents. To begin with, there is the question of definition. By the terms of the [U.N. Convention Relating to the Status of Refugees](#), an individual must pass two tests to be considered a refugee. First, they must demonstrate a well-founded fear of persecution, and secondly, they must have fled their country, crossing an international border. Those who meet these tests have an internationally recognized legal right to claim asylum in a safe country, and receiving countries have a corresponding duty to fulfill that right. Internally displaced persons (IDPs) and other immigrants do not have legal claim to those same rights—which builds in an internal and perverse incentive to prevent people in trouble from crossing international borders.

Those who succeed in leaving their country face massive bureaucratic entanglement. Western developed countries have their own procedures for granting asylum, and most of them are not triggered until a refugee is actually on that country's sovereign territory. Most refugees, however, do not get that far—they are lucky to make it to the nearest neighboring country. They queue up to have their eligibility assessed by local offices of the U.N. High Commissioner for Refugees, or go to plead their case at one or another of the Western embassies in town. And in the meantime, they rely on their own savings, the largesse of the country to which they have fled, or international assistance to address their daily needs—which may include food, shelter, medical assistance, and education. Displaced people who do not succeed in crossing a border may receive some material assistance from international agencies, but they generally are not eligible for help with resettlement or political asylum.

This is the situation facing refugees anywhere in the world, but the Iraqi refugee crisis entails one more crucial political factor: U.S. politics. Until very recently, the U.S. has been unwilling to acknowledge that any Iraqis have a “well founded fear of persecution” because the [entire justification for this war](#) was ostensibly to free them from such fears. [Although the U.S. has said it would admit a few thousand Iraqis](#) appealing for asylum from abroad (or from within the U.S.), it has not been generous with the assistance it has provided to the U.N., and it has done very little to expedite its own clearance procedures, which have only become more cumbersome in the context of the war on terror.

Following stories like the one in *Dissent*, several U.S. Senators have introduced the [Refugee Crisis in Iraq Act](#) to assist Iraqis at grave risk because of their association with Americans or

American interests, and provide them an expedited pathway to political asylum. This proposed relief is only a drop in the bucket compared to the need, but it is the least we can do. Sectarian violence, improvised explosive devices, and body counts have been used as metrics for assessing the progress of the Iraq War. The numbers of refugees and internally displaced persons is another measure of the state of affairs in Iraq. Until Iraqis can safely return to their homes, this war is not over. In the meantime, we Americans have a moral imperative to provide refuge to those whose own safety has been put at risk for their efforts to assist the U.S.

Susan Waltz is Professor at the University of Michigan's Ford School of Public Policy. She has published extensively on the politics of human rights in North Africa and she regularly teaches a graduate course on human rights and public policy. From 1996-1998 Dr. Waltz served as International Chairperson of Amnesty International. On a number of occasions over the past two decades, she has offered expert witness testimony for North Africans seeking asylum in the U.S.